

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MELISSA M. KLISCHER,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-1332</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>NANCY BERRYHILL, Acting</b>	:	
<b>Commissioner of Social Security,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 29th day of April, 2019, upon consideration of the report (Doc. 32) of Magistrate Judge Joseph F. Saporito, Jr., recommending that the court grant the motion (Doc. 9) to dismiss filed by Nancy Berryhill, Acting Commissioner of Social Security (“Commissioner”), and dismiss the appeal (Doc. 1) of plaintiff Melissa M. Klischer (“Klischer”) as barred by the statute of limitations, (see Doc. 32 at 9-12), and it appearing that Klischer has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford “reasoned consideration” to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court

being in agreement with Judge Saporito's recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 32) of Magistrate Judge Saporito is ADOPTED.
2. The Commissioner's motion (Doc. 9) to dismiss is GRANTED and Klischer's appeal (Doc. 1) is DISMISSED.
3. The Clerk of Court shall thereafter CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania